

Interior backs water bank for Klamath fish, farmers. The plan could resolve lawsuits involving the Trinity River and would give scientists reserves to send down the tributary

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By Michael Milstein, staff writer

The Bush administration unveiled a proposal this week that officials said could take pressure off Klamath Basin farmers by resolving lawsuits that for years have locked up the Trinity River in Northern California.

It would give scientists emergency water reserves to send down the Trinity, which flows into the Klamath River, if needed to protect fish, said Bennett Raley, assistant secretary of the interior for water and science. That could help avoid trouble, such as the die-off in 2002 of some 33,000 salmon and other fish that became crowded in the Lower Klamath's fetid water, he said.

Farmers in the Klamath Project on the California-Oregon border faced blame for the 2002 die-off because they use water diverted from the Klamath.

But much of the Trinity's cooler water, which otherwise would enter the Klamath, is diverted south through massive tunnels to farms in California's Central Valley.

A lawsuit filed by the Westlands Irrigation District in Central California, which receives water from the Trinity, held up a 2000 Clinton administration decision to restore higher flows to the river. That made it tougher for officials to send more water down the Trinity when the fish were dying, they said.

"This proposal provides an opportunity to learn from that sad event," Raley said in announcing the administration's new approach Wednesday.

But Native American tribes that depend on fish in the Lower Klamath said it lacks supportable science and could extend court fights.

The approach is patterned after a legal settlement proposal by Westlands. Raley said it could provide scientists with more flexibility than either court orders or the original Clinton administration decision. Flexibility is warranted because natural river systems are unpredictable, he said.

"Playing God with natural ecosystems is a lot harder than it looks," Raley said. "Nature doesn't always follow our models."

Dan Keppen of the Klamath Water Users Association said the proposal recognizes that the Klamath Basin's fortunes are entwined with the Trinity because both feed into the Klamath River.

"The Trinity is probably the most important tributary to the Klamath," he said. "We just have to start managing the systems and looking at them together."

In wet years, the Bush administration's new alternative would provide as much water for the Trinity as the earlier Clinton administration plan. In drier years, it would mandate flows that might run higher or lower. That would be determined, in part, by whether biologists decide fish need extra water.

If they do, they could draw on a bank of water held in reserve by the U.S. Bureau of Reclamation. Raley said that approach would do the river more good than unyielding court battles.